

AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 631**

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**Introduced by ~~Senator Walters~~ *Senators Walters and Runner***

February 27, 2009

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An act to amend Section 2101 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 631, as amended, Walters. Voting: felons.

Existing law provides that a person who is entitled to register to vote must be 18 years of age and not be incarcerated or on parole for a felony conviction.

~~This bill would also prohibit a convicted felon from voting while on probation, and would make a voting prohibition a condition of that imprisonment, parole, or probation.~~

*This bill would additionally make a person on probation for the conviction of a felony not eligible to register to vote, and would, as of January 1, 2011, require elections officials to cancel a person's voter registration upon notice from the court of the conviction of a felony.*

*Because the bill would impose additional duties on local elections officials, it would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2101 of the Elections Code is amended  
2     to read:  
3     2101. (a) A person entitled to register to vote shall be a United  
4     States citizen, a resident of California, not in prison or on parole  
5     or probation for the conviction of a felony, and at least 18 years  
6     of age at the time of the next election.  
7     ~~(b) A prohibition against voting while under correctional~~  
8     ~~supervision as provided in subdivision (a) shall be a condition of~~  
9     ~~felony imprisonment, parole, or probation.~~  
10    (b) “Conviction of a felony” for purposes of this section means  
11    conviction of a felony offense which results in incarceration in  
12    prison or parole or felony probation.  
13    (c) Commencing January 1, 2011, the chief elections official of  
14    each county shall upon notice of the clerk of the superior court  
15    cancel affidavits of registration of all persons who have been  
16    convicted of a felony as defined in subdivision (b).  
17    SEC. 2. *If the Commission on State Mandates determines that*  
18    *this act contains costs mandated by the state, reimbursement to*  
19    *local agencies and school districts for those costs shall be made*  
20    *pursuant to Part 7 (commencing with Section 17500) of Division*  
21    *4 of Title 2 of the Government Code.*